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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,387	05/14/2007	Mark Gawel	298-310	9029
28349 7590 08/04/2009 DILWORTH & BARRESE, LLP 1000 WOODBURY ROAD SUITE 405 WOODBURY, NY 11797				
EXAMINER				
LIM, SENG HENG				
ART UNIT		PAPER NUMBER		
3714				
MAIL DATE		DELIVERY MODE		
08/04/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

## Application No.

10/575,387

## Applicant(s)

GAWEL ET AL.

## Examiner

SENG H. LIM

## Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 6 and 8-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 6 and 8-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

This office action is in response to the amendment filed on 4/22/2009 in which applicant amends claims 6 & 8; added claim 28 and responds to the claim rejections. Claims 6, 8-28 are pending.

### ***Response to Arguments***

Applicant's arguments filed 4/22/2009 have been fully considered but they are moot in view of new amendments. Please read below for further explanation.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 6, 8-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer (GB 2326505 A) in view of Rasmussen et al (US 2004/0053699 A1) and Hajder et al (US 2005/0277477 A1)

Re claim 6, 8-13. Palmer discloses a gaming machine comprising of a gaming machine cabinet (1) and front wall structure (i.e. doorframe) (7) hingedly attached thereto and pivotally movable around a substantially horizontal edge between an open position and a closed position (Page 4, lines 14-16), at least two display panels of peripheral devices such as monitors affixed or mounted to said front wall structure (Page 8, lines 8-9) to be viewable through at least one opening (19: Fig. 1) in the front wall structure when it is in closed position, wherein the two display monitors are positioned one above the other at an angle relative to each other (Page 3, line 17 - Page 4, line 6 & lines 19-21), and the front wall structure below the two display monitors is provided with a game control panel (i.e. user press-buttons, 31) running from one edge of the front wall structure to the other or is inclined with respect to the two display monitors (Page 8, line 16-17), and wherein both the display monitors and the game control panel are simultaneously moved to the open position relative to said gaming machine cabinet upon opening of the doorframe to provide access for maintenance

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(Page 3, line 8) to back sides of the display monitors and game control panel and to interior components of the gaming machine cabinet (i.e. the display panels and game control panels/user press-button are all on the front wall structure), (Fig. 1 & 2).

Palmer discloses a display unit 27 being mounted to the cabinet 1 behind the upper panel 11 (Page 8, lines 8-9) & Fig.1 and display panel showing mechanical slot reels on the lower panel (Fig. 2). Palmer does not disclose having two display monitors affixed to said doorframe; however, substituting mechanical slot reels with a mounted cathode ray tube monitor for a video display of the slot reels on a doorframe is notoriously well known in the art as evidence by Rasmussen [0003 & 0027], Fig. 2 & 5. At the time of invention a person of ordinary skill in the art would have found it obvious to modify Palmer in view of Rasmussen and would have been motivated to do so to create greater flexibility in the manner in which gaming machines may be upgraded [0007].

Palmer does not disclose the doorframe to be pivotally movable around a substantially vertical edge between an open position and a closed position, but instead a horizontal edge. Hajder et al discloses that a cabinet door may be changed to open around a vertical axis rather than a horizontal axis or in other directions since it would still possible to be viewable by the technician [0049]. At the time of invention a person of ordinary skill in the art would have found it an obvious matter of design choice to change a front wall structure or cabinet door to open from vertically to horizontally because it would still possible to be viewable by the technician.

Alternatively, it would have been an obvious matter of design choice to have the doorframe pivotally movable around a vertical or horizontal edge, since applicant has not disclosed that pivotally movable around a vertical edge solves any stated problem or is for any particular purpose other than opening and closing the doorframe and it appears that the invention would perform equally well with the doorframe opening and closing around a vertical or horizontal edge. Furthermore, Applicant discloses that the hinges may be placed in any desired position.

Re claim 9, 14-16. Palmer discloses the doorframe comprises two separate open portals (19, 20: Fig. 1 & 2) with an obtuse angle there between to allow viewing of the two display monitors.

Re claim 10-11, 17-23. Palmer discloses the doorframe having more than one open portal to view said at least two display monitors, each open portal (19, 20: Fig. 1 & 2) has a pair of left and right sides being substantially equal in angle, and a pair of substantially horizontal top and base sides, and each open portal of said pair of left and right sides being at an obtuse angle to at least one other open portal of said pair of left and right sides when said doorframe is viewed from the front (Page 6, lines 16-19).

Palmer does not disclose having only one open portal instead of two for providing at least two display monitors. It would have been an obvious matter of design choice to modify Palmer's plural open portals (i.e. glass panels; 19, 20) to just one big open portal to display two monitors, since applicant has not disclosed that changing from two open portal to one open solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well to display the monitors with either

having two small open portal for the two display monitors or one big open portal for the two display monitors.

Re claim 12, 24-25. Palmer discloses the access to the at least two display monitors is achieved only by opening said doorframe as can be seen in Fig. 1 & 2.

Re claim 26. Palmer discloses a gaming machine comprising: a gaming machine cabinet (1) and a front wall structure (i.e. doorframe) (7) hingedly attached thereto, said doorframe being pivotally moveable around a substantially horizontal edge between an open and closed position with respect to the gaming machine cabinet (Page 4, lines 14-16); multiple display panels in a horizontal contiguous relationship affixed to said doorframe (Page 8, lines 8-9) to be viewable through at least one opening (19: Fig. 1) in said doorframe when said doorframe is in a closed position, wherein each of said multiple panels is oriented at an obtuse angle with respect to the adjacent display panel (Page 3, line 17 - Page 4, line 6 & lines 19-21).

Palmer does not expressly disclose having at least three display panels; however Palmer does disclose having multiple display panels. Adding or decreasing the numbers of displays for the purpose of displaying more or less information is not patentability distinct from Palmer because it only involves routine skill in the art.

Palmer does not disclose the doorframe to be pivotally movable around a substantially vertical edge between an open position and a closed position, but instead a horizontal edge. Hajder et al discloses that a cabinet door may be changed to open around a vertical axis rather than a horizontal axis or in other directions since it would still possible to be viewable by the technician [0049]. At the time of invention a person of

ordinary skill in the art would have found it an obvious matter of design choice to change a front wall structure or cabinet door to open from vertically to horizontally because it would still be possible to be viewable by the technician.

Alternatively, it would have been an obvious matter of design choice to have the doorframe pivotally movable around a vertical or horizontal edge, since applicant has not disclosed that pivotally movable around a vertical edge solves any stated problem or is for any particular purpose other than opening and closing the doorframe and it appears that the invention would perform equally well with the doorframe opening and closing around a vertical or horizontal edge.

Re claim 27-28. Palmer discloses a gaming machine comprising a gaming machine cabinet (1) and a front wall structure (i.e. doorframe) (7) attached thereto, at least two display monitors placed behind said doorframe at an interior space of said cabinet (Page 3, line 17 - Page 4, line 6 & lines 19-21) so as to be viewed through at least one opening (19) in said doorframe, wherein said two display monitors are positioned one above the other at an obtuse angle relative to each other (i.e. 19 and 20 are positioned obtuse to each other; Fig. 1), and wherein said doorframe is provided below said two display monitors with a game control panel (i.e. user press-buttons, 31) extending laterally from one side edge of the doorframe to another side edge (Page 8, line 16-17), wherein said two display monitors are securely affixed to said doorframe (Page 3, line 17 - Page 4, line 6 and said doorframe is supported on said gaming machine cabinet by means of a hinge so as to open and close said doorframe together with the two display monitors (Page 4, lines 14-16) and the game control panel relative

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to said gaming machine cabinet and wherein said game control panel is inclined with respect to the two display monitors which are positioned above said game control panel (i.e. the display panels and game control panels/user press-button are all on the front wall structure), (Fig. 1 & 2), wherein said doorframe includes a rim extending upright alongside of the monitors (19, 20) and the game control panel (31), said rim having a straight edge along the entire doorframe height, and snugly fitting to the gaming machine cabinet (Fig. 1), wherein said hinge is affixed to the full length of said rim and an inner wall of the gaming machine cabinet and said hinge having a reinforcement (i.e. gas or hydraulic struts) to support the weight of the doorframe with the monitors and the game control panel affixed thereto (Page 4, line 14-16).

Palmer discloses a display unit 27 being mounted to the cabinet 1 behind the upper panel 11 (Page 8, lines 8-9) & Fig.1 and display panel showing mechanical slot reels on the lower panel (Fig. 2). Palmer does not disclose having two display monitors affixed to said doorframe; however, substituting mechanical slot reels with a mounted cathode ray tube monitor for a video display of the slot reels on a doorframe is notoriously well known in the art as evidence by Rasmussen [0003 & 0027], Fig. 2 & 5. At the time of invention a person of ordinary skill in the art would have found it obvious to modify Palmer in view of Rasmussen and would have been motivated to do so to create greater flexibility in the manner in which gaming machines may be upgraded [0007].

***Correspondence***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SENG H. LIM whose telephone number is (571)270-3301. The examiner can normally be reached on 9:30-6:00, Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. H. L./

Examiner, Art Unit 3714

/Corbett Coburn/

Primary Examiner, AU 3714